



Docket No.: 57454-037

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Susumu KAWADA, et al.

Customer No.: 20277

Application No.: 09/804,158

Confirmation No.: 8619

Filed: March 13, 2001

Group Art Unit: 1756

Examiner: Stephen D. Rosasco

Title: PHASE SHIFTER FILM AND PROCESS FOR THE SAME

**RESPONSE**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The following Remarks are submitted in response to the non-final Office Action dated July 7, 2005.

Claims 1-71 are pending in this application. Of those claims, claims 8-14 and 63-65 have been withdrawn from consideration pursuant to the provisions of 37 C.F.R. § 1.142(b).

Claims 1-3, 5-7, 15-17, 19-40, 42-47, 49-62 and 66-74 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,725,739 (Mitsui) in view of U.S. Patent No. 5,725,739 (Hu) or U.S. Patent No. 6,458,255 (Chang).

The claims are separately directed to a phase shifter film (independent claim 1), blanks for a phase shift mask having a phase shifter film (independent claim 15), a method of making blanks (independent claim 27), a phase shift mask (independent claim 38), a method of making a